

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Huntington

Date: 7/8/2019

Case Number 3:19-cr-00118

Case Style: USA vs. Eduardo Rios-Rios

Type of hearing Plea Hearing

Before the honorable: 2514-Chambers

Court Reporter Kathy Swinhart

Courtroom Deputy Terry Justice

Attorney(s) for the Plaintiff or Government Erik Goes

Attorney(s) for the Defendant(s) Lex Coleman

Law Clerk Michael Hoffman

Probation Officer Erin Stone

Trial Time

Non-Trial Time

Plea Hearing

Court Time

3:23 pm to 3:45 pm

Total Court Time: 0 Hours 22 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

Hearing scheduled to commence: 3:30 pm

Hearing commenced: 3:23 pm

Interpreter: Ana Lahr.

Defendant appeared in person and with counsel for a plea to the single count indictment.

Defendant sworn; Defendant found competent to proceed.

The defendant is pleading guilty without a plea agreement.

Defendant pleaded guilty.

Court read pertinent portions of statute with which Defendant was charged.

Defendant explained why he considered himself guilty.

Testimony of Klara Huss, offered evidence of what Government would be able to prove at trial.

Court found that there was a sufficient factual basis for the plea.

Court found that the defendant understood the nature of the charge and the consequences of pleading guilty.

Court found that the defendant understood the constitutional and other legal rights being given up.

Court found that the plea was voluntary.

Defendant executed written plea of guilty.

Plea was accepted.

Defendant found guilty of violating 8 U.S.C. § 1326(a).

PLEA HEARING CONCLUDED - SENTENCING BEGAN: 3:45 pm

There were no objections to the presentence report and the presentence report was adopted.

Total offense level 6

criminal history category I

advisory guideline ranges

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custody 0 - 6 months
sr 1 year
fine \$1,000 - \$9,500
SA \$100

Comments of Government and Defendant's counsel.

Custody time served

Special Assessment \$100 due immediately

The defendant was informed of appeal rights.

Defendant detained.

Hearing concluded: 3:52 pm